

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE COMMISSIONER OF HUMAN SERVICES

In the Matter of the Temporary  
Immediate Suspension of the Child  
Foster Care License of Pen Standifer

**PROTECTIVE ORDER**

Upon the request of the Department of Human Services, Licensing Division, and Hennepin County Human Services and Public Health Department, and pursuant to Minn. Stat. §§ 13.03, subd. 6, and 14.60, subd. 2, and Minn. R. 1400.6700, subp. 4, it is ordered that:

1. Disclosure of not public data is permitted in the course of this matter, but is limited to parties, counsel of record, employees assisting counsel, and representatives and witnesses of the parties to the extent necessary to prepare and present claims and defenses.

2. Pen Standifer and his counsel and representatives or witnesses may not disclose any data encompassed by this order to persons other than those mentioned above, and must return all data released pursuant to this order to counsel for the Department of Human Services at the conclusion of this matter.

3. Notwithstanding Minn. Stat. § 13.46, subds. 3 or 4(d), data identifying any witnesses who are children shall not become public data by virtue of having been submitted to this proceeding and shall remain not public after the conclusion of this hearing. In preparation for and during the hearing, the parties may refer to names of individuals involved and will have access to documents containing private information. Unless the Administrative Law Judge determines that it is in the best interest of the witnesses who are children, the record will not be sealed. The Administrative Law Judge's Recommendation and the Commissioner's Order shall use non-identifying initials or aliases in place of the names of any witnesses who are children.

4. The hearing in this matter is presumed open. If there is testimony by a witness who is a child, that portion of the hearing shall be closed. If a transcript is ordered, the names of the witnesses who are children shall be redacted and replaced by non-identifying initials or aliases.

5. The data encompassed by this order may be used only in this proceeding and not for any other purpose, including collateral litigation, unless otherwise ordered by a district court.

6. This protective order does not authorize the disclosure of the identity of reporters of maltreatment.

7. This protective order does not authorize the disclosure of any videotapes of a child victim or alleged child victim alleging, explaining, denying, or describing an act of physical or sexual abuse unless the requirements of Minn. Stat. § 611A.90, subd. 2(b), have been met. See Minn. Stat. § 13.03, subd. 6.

Dated: February 26, 2009

s/Kathleen D. Sheehy  
KATHLEEN D. SHEEHY  
Administrative Law Judge